

Message Text

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SUBJECT: KIM TAE-CHUNG CASE

REF: SEOUL 3528

SUMMARY: KIM TAE-CHUNG ANSWERED CHARGES AT JUNE 5 COURT HEARING. ROK FOREIGN MINISTER EXPRESSED "REGRET" OVER JAPANESE REACTION TO TRIAL AND SAID KIM COULD NOT LEAVE KOREA UNTIL CHARGES WERE CLEARED UP. SECOND HEARING WAS SET FOR JUNE 12. END SUMMARY.

1. KIM TAE-CHUNG APPEARED IN COURT JUNE 5 TO ANSWER ELECTION LAW AND DEFAMATION CHARGES DATING FROM 1967 AND 1971 ELECTIONS (REFTEL). KIM PROFESSED INNOCENCE ON ALL CHARGES. MAIN POINTS IN HIS DEFENSE WERE:
--HE LEARNED OF PLANS FOR A "GENERALISSIMO SYSTEM" FROM A RELIABLE SOURCE WHO HAD WORKED ON 1969 CONSTITUTIONAL AMENDMENT PERMITTING PRESIDENT PARK TO SEEK A THIRD TERM. HE DECLINED TO NAME SOURCE.

--HE ADMITTED ACCUSING DRP OF SPENDING 30 BILLION WON ON 1971 PRESIDENTIAL ELECTION. HE
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BASED THIS ON RESEARCH BY OPPOSITION PARTY WHICH

HE BELIEVED WAS ACCURATE.

--HE ACCUSED HIS 1967 NATIONAL ASSEMBLY
OPPONENT KIM PYONG-SAM OF COMPLICITY IN KIM KU
ASSASSINATIN BASED ON A PUBLISHED LEAFLET.

--HE SPOKE TO VOTERS IN EARLY 1971 BEFORE
OFFICIAL START OF ELECTION CAMPAIGN BECAUSE IT IS
A POLITICIAN'S DUTY TO REPORT TO
THE PEOPLE.

--HE HELD CAMPAIGN RALLIES LATE AT NIGHT BUT
NEVER KNOWINGLY SPOKE AFTER MIDNIGHT AS CHARGED.

2. JUDGE ADMITTED ABOUT 200 SPECTATORS, THEN HAD
DOOR LOCKED WHEN COURTROOM WAS FULL. OPPOSITION
ASSEMBLYMAN KIM HYONG-IL AND FORMER ASSEMBLYMAN
YANG IL-DONG WERE ON TRIAL SIMULTANEOUSLY,
CHARGED WITH VIOLATING NATIONAL SECURITY LAW AND
ANTI-COMMUNIST LAW RESPECTIVELY. HOWEVER, THEIR TESTI-
MONY WAS POSTPONED AS KIM CASE CONSUMED ALL ALLOTTED
TIME. JUDGE EXPLAINED THAT HEARING WAS HELD TODAY
WITH VARIOUS CHARGES AGAINST THREE DEFENDANTS LUMPED
TOGETHER BECAUSE SUPREME COURT HAD ORDERED
EXPEDITIOUS HANDLING OF OLD CASES.

3. EMBASSY FSL WHO ATTENDED HEARING SAID KIM LOOKED
WELL AND ANSWERED CALMLY. AFTER COURT SESSION,
CROWD APPLAUDED KIM AS HE STEPPED INTO WAITING
CAR TO RETURN HOME.

4. FONMIN KIM TONG-CHO MET JAPANESE AMBASSADOR USHIROKU
JUNE 4 AND AGAIN MORNING OF JUNE 5. AFTER SECOND
MEETING FONMIN TOLD REPORTERS HE HAD EXPRESSED REGRET
OVER JAPANESE REACTION TO KIM TRIAL AND HAD EXPLAINED
TO USHIROKU THAT TRIAL FOR OLD VIOLATIONS WAS
UNRELATED TO KIM CHONG-PIL-TANAKA UNDERSTANDING ON
SUBJECT OF KIDNAPPING. FONMIN MAINTAINED THAT UNDER-
STANDING WAS ONLY THAT KIM WOULD NOT BE TRIED FOR HIS
ACTIVITIES ABROAD AND THAT HE WOULD BE FREE AS ANY OTHER
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CITIZEN TO TRAVEL. HE ADDED THAT NO CITIZEN COULD
LEAVE THE ROK WHILE THERE WERE CRIMINAL CHARGES PENDING
AGAINST HIM. FONMIN SAID USHIROKU "UNDERSTOOD"
ROK POSITION.

5. LOCAL PRESS PROMINENTLY REPORTED FOREIGN MINISTER'S
STATEMENTS AND CIRCUMSTANCES OF HEARINGS, BUT NOT THE
SUBSTANCE OF KIM TAE-CHUNG'S REPLIES.

6. COMMENT: STANDARD LINE WHICH WE ARE RECEIVING FROM BLUE HOUSE AND OTHER OFFICIALS IS THAT CASE HAD BEEN LONG PENDING AND IN FACT WAS DELAYED BECAUSE OF KIM'S KIDNAPPING AND SUBSEQUENT EVENTS. THEY PROFESS TO BELIEVE THAT KIM'S CASE ALONG WITH OTHER OPPOSITIONISTS WILL PROCEED IN NORMAL FASHION BEFORE COURTS OVER NEXT SEVERAL WEEKS. GOVT LINE IS OBVIOUSLY FOR OUTSIDE CONSUMPTION. WE STILL DO NOT KNOW GOVT'S ULTIMATE PURPOSE IN RESURRECTING THESE CHARGES. HOWEVER, GIVEN SUBSERVIENCE OF COURTS, DECISION TO PROCEED WITH KIM CASE WOULD HAVE TO BE MADE AT POLITICAL LEVEL.

7. OUR IMPRESSION IS THAT KIM HANDLED HIMSELF WELL IN HEARING. CHARGES APPEAR SO SLIGHT THAT GOVT WILL BE HARD PUT NOT TO ADD TO KIM'S POLITICAL REPUTATION IF THEY PROCEED SERIOUSLY WITH CASE.
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